GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Revenue Department – Appeal petition filed by Sri S.Vara Kumar, Tahsildar, Dagadarthi Mandal, SPSR Nellore District against the proceedings of the CCLA issued for committing irregularities in submission of proposals - under the fold of CJFS without following the procedure – Admitted - the penalty of "withholding of (03) three increments without cumulative effect" is modified to that of "withholding of (01) one increment without cumulative effect"- Orders – Issued.

REVENUE (VIGILANCE.III) DEPARTMENT

G.O.RT.No. 185 Dated: 31-01-2020

Read the following:

1. Rc.No.A5/1747/2016, Dated:27.05.2016 of the District Collector, SPSR Nellore District.
2. Proceedings of Chief Commissioner of Land Administration, A.P., Vijayawada issued in progs.No.VSII(2)/864.2018, dated:30.08.2019.
3. Appeal petition Dated:29.10.2019 filed by Sri S.Vara Kumar, Tahsildar, Dagadarthi Mandal, SPSR Nellore District.
4. Govt.Memo.No.LANA0CCLV(DISC)/85/2019-Vig.III(2), Revenue (Vigilance.III) Dept., Dt:19.11.2019.
5. From Chief Commissioner of Land Administration & Spl.CS, A.P., Vijayawada, CCLA's Procg.No.VS.II(I)/864/2018, dated.17.12.2019

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ORDER:

Whereas, the District Collector, SPSR Nellore District has initiated departmental Proceedings by framing the following Article of charges against Sri S.Varakumar former Tahsildar, Vakadu Mandal, for committed irregularities in submission of proposals for grant of land in favour of Smt.Puchalapalli Sampurnamma, W/o Desarlu for an extent of Acs.2.16 cents in Survey No.131 and Smt.Puchalapalli Kasthuramma, W/o Krishnaiah for Acs.2.00 in Survey No.131 of Vagarru Village, which is being used for Village communal needs and thereby there is a scope of law & order problem in the Village, in the reference 1st read above.

Charge:

Sri S. Varakumar, formerly Tahsildar Vakadu, being a responsible Officer, has submitted false proposals to the Revenue Divisional Officer, Gudur on 18.03,2011, recommending for grant of lease orders in Survey No.131, Acs.4.16 cents of Vagarru Village under the fold of C.J.F.S, in favour of Smt. Puchalapalli Sampurnamma and Puchalapalli Kasthuramma, without following due procedure laid down in B.S.O.15 (11), Basing on the report of the Tahsildar Vakadu, the then Revenue Divisional Officer, Gudur has granted lease orders to Smt. Puchalapalli Sampurnamma and Puchalapalli Kasthuramma under the fold of C.J.F.S. Sri S. Varakumar, then Tahsildar, Vakadu has not inspected the land personally, not verified the records properly and without assigning the land in favour of Chairman of the CJFS, has submitted proposals, which is contrary to the established procedure.

Sri Puchalapalli Krishnaiah, husband of Smt. Kasthuramma (the present beneficiary) is having Acs.0.63 cents and Ac.1.37 cents of patta dry land in Survey No.115/1 and S.No.117/3 respectively in Budidalavagu Village. This fact has not been reported by the then Tahsildar, Vakadu to the Revenue Divisional Officer, Gudur. Besides that both the beneficiaries were granted an extent of Acs.4.16 cents, who are daughter-in-law and mother-in-law of one family. The then Tahsildar, Vakadu failed to report the Socio Economic status of the beneficiaries with malafied intention. It shows his gross negligence in rendering his legitimate duties, lack of integrity in protecting the Government lands and behaved as an unbecoming member of a Government servant and thereby by he has violated the Rule-3 of A.P.C.S. (Conduct) Rules, 1964.

(P.T.O)

2. Further, Sri S.Varakumar, Tahsildar has submitted his written explanation denying the charges. Subsequently the Collector, SPSR Nellore, while submitting the said disciplinary proposals to the Chief Commissioner of Land Administration, A.P., has requested to take further disciplinary action against said charged officer. Accordingly, the Joint Collector-II, SPSR Nellore has been appointed as Inquiry Officer for conduct of regular enquiry into the charges framed against the said charged Officer and the Joint Collector/Joint Collector-II, SPSR Nellore has submitted his enquiry report along with findings to the Chief Commissioner of Land Administration, A.P, vide his letter dated.11.06.2019.

3. Further, the Chief Commissioner of Land Administration, A.P after following the due procedure, after perusal of the records, report of the enquiry officer and explanation submitted by the delinquent officer, has observed that the charge against the charged officer is held established, as the charged officer has initially not followed the procedure prescribed for allotment of lands under CJFS and recommended for grant of lease for an extent of Ac.4.00 in favour of two beneficiaries. Consequently, on the directions of the Sub-collector, Gudur the said extent has been noted as Surplus land in records and prohobitory order book. Hence, the irregularities committed by the Charged Officer, the CCLA has imposed penalty of "withholding of (03) three increments without cumulative effect" against Sri S.Vara Kumar former Tahsildar, Vakadu presently working as Tahsildar, Gudur, SPSR Nellore District, for the irregularities committed by the charged officer, vide reference 2nd read above.

4. Aggrieved by the above orders of the Chief Commissioner of Land Administration, A.P, Sri S.Vara Kumar former Tahsildar, Vakadu presently working as Tahsildar, Gudur, SPSR Nellore District has preferred an appeal petition before the Government stating that the Disciplinary authority has not considered the fact that the subject lands are denoted as CJFS lads as per the entries in the Adangal of the village before 1419 Fasli i.e. before 2009, but not surplus land as alleged in the charge. Hence, he had no hesitation in sending the proposals to the competent authority for granting the patta under CJFS. He has submitted proposals only based on the enquiry reports submitted by the then MRI, Vakadu Mandal, VRO, Vagarru Village and Mandal Surveyor, Vakadu recommending for allotment of the land to the applicants stating that they do not possess any other land. The RDO, Gudur has allotted the land under the fold of CJFS as the land was already under his control under CJFS. He further stated that the Disciplinary authority has not considered the fact that the Sub-Collector, Gudur has already revoked the orders issued by the then RDO, Gudur and directed to enter the land in POB for community purpose and hence no loss was caused to Government. Therefore, he has requested to drop further action.

5. Government after careful examination of the matter, and considering the grounds putforth by the Charged Officer, have decided to allow the appeal petition partially and accordingly, hereby order modify the penalty of "withholding of (03) three increments without cumulative effect" to that of "withholding of (01) one increment without cumulative effect" against Sri S.Vara Kumar, Tahsildar, Dagadarthi Mandal, SPSR Nellore District.

6. The Chief Commissioner of Land Administration, A.P., Vijayawada shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.USHARANI
SECRETARY TO GOVERNMENT

To
The Chief Commissioner of Land Administration, A.P., Vijayawada
Sri S.Vara Kumar, Tahsildar, Dagadarthi Mandal, SPSR Nellore District through the Chief Commissioner of Land Administration, A.P., Vijayawada
Copy to:
The District Collector, SPSR Nellore District.
Sf/Sc

//FORWARDED:: BY ORDER//

SECTION OFFICER